

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116, and in light of the remarks which follow, are respectfully requested.

Claim 1 has been amended to include the feature of claim 5 and to include the feature of at least one longitudinal rib on the internal core as specified in now canceled claim 11 as well as in claims 12 and 20. Non-elected claims 4, 6, 8, 9, 13 and 16-19 have been canceled to expedite prosecution. Claims 1, 7, 10, 12, 14, 15 and 20 will remain in this application upon entry of the above amendments.

Turning to the Final Rejection, claims 1, 7, 10, 11, 14 and 15 were finally rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,160,805 to Winter for the reasons given in paragraph (4) of the Office Action. Since claim 5 was not rejected on this ground and the feature of claim 5 has now been added to claim 1, it is submitted that this ground of rejection has been obviated and should be withdrawn. Such action is earnestly requested.

Claim 5 was rejected under 35 U.S.C. §103(a) as unpatentable over Winter '805 in view of U.S. Patent No. 3,881,421 to Burczynski for reasons set forth in paragraph (5) of the Final Rejection. Reconsideration and withdrawal of this rejection are respectfully requested in view of the above amendments and for at least the following reasons.

Claim 1 now specifies that a front face of the internal core is set back from the front face of the front part of the bullet. This is in stark contrast to the bullet of Winter '805 in which the front face of the internal core is set forward beyond the front face of the bullet. This is clearly shown in all the Figures of the reference. As discussed in

column 4, lines 3-7 of Winter '805, this feature is critical since it allows the tip of the core to contact and penetrate the surface of the target before the core jacket. Thus, this is an important feature of the invention described in Winter '805.

The rejection relies on Burczynski '421 as allegedly teaching a bullet where the front face of the internal section is set back from the front face of the bullet "to enhance mushrooming of the bullet." The disclosure of Burczynski '421 is diametrically opposed to that of Winter '805. Applicant respectfully submits that there would have been no motivation to modify the bullet of Winter '805 in the manner suggested by Burczynski '421 since to do so (i.e., recess the front face of the internal core) would render the invention of Winter '805 essentially inoperative for its intended purpose (i.e., the front face of the internal core penetrating the target surface first and displacing the material of the surface before the jacket of the core strikes the target).

To further distinguish over the combined teachings of Winter '805 and Burczynski '421, claim 1 specifies that the internal core has at least one longitudinal rib. To the contrary, the bullet of Winter '805 has axial ribs or grooves 6 to establish a positive joint with the core jacket such that the core and jacket do not separate upon impact.

For at least the above reasons, the §103(a) rejection based on Winter '805 in combination with Burczynski '421 should be withdrawn. Such action is respectfully requested.

Claims 10-12 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Winter '805 in view of U.S. Patent No. 1,493,614 to Dickerman for reasons provided in paragraph (6) of the Final Rejection. Reconsideration of this rejection is

requested in view of the above amendments and for at least the reasons which follow.

The combined disclosures of Winter '805 and Dickerman '614 fail to disclose or suggest a bullet having the features set forth in claim 1 as currently amended. As discussed above, the bullet described in Winter '805 does not have a front face of the insert set back from the front face of the bullet nor does the insert have at least one longitudinal rib on its outer surface.

Dickerman '614 discloses a bullet having a jacket 6, a soft core 7 and a rigid tip 5. The tip appears to protrude beyond the front face of the jacket as opposed to the bullet defined in present claim 1. Also, it is not clear how those of ordinary skill would modify the insert of Winter '805, which has axial ribs, to also provide longitudinal ribs. Thus, even if one of ordinary skill were to combine the respective teachings of Winter '805 and Dickerman '614, the resultant bullet still would not possess the features of the present claims.

In view of the above amendment and arguments, the §103(a) rejection based on Winter '805 and Dickerman '614 should be withdrawn. Such action is earnestly solicited.

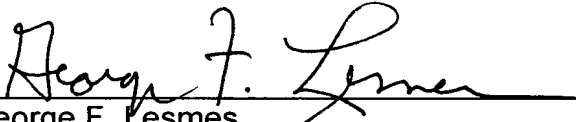
Applicant respectfully requests entry of the above amendments. The features added to claim 1 were in dependent claims which were considered in the Final Rejection. Entry of the amendments raises no new issues and would appear to place the application in allowable condition.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (703) 838-6683 at his earliest convenience.

Respectfully submitted,

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